



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

AF
JFW

REPLY BRIEF FOR THE APPELLANT

Ex parte Petri KOSKELAINEN

METHOD AND SYSTEM FOR PROVISIONING SERVICES TO A TERMINAL

Serial No. 10/079,426

Appeal No.:

Group Art Unit: 2141

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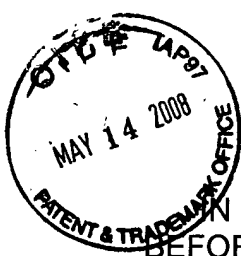
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Atty. Docket: 060282.00294

MSA/jf

Encls: Reply Brief



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re the Appellant:

Petri KOSKELAINEN et al.

Appeal No.:

Serial Number: 10/079,426

Group Art Unit: 2141

Filed: February 22, 2002

Examiner: Nicholas R. Taylor

For: METHOD AND SYSTEM FOR PROVISIONING SERVICES TO A TERMINAL

REPLY BRIEF

May 14, 2008

I. INTRODUCTION

This Reply Brief is filed in response to the Examiner's Answer dated March 27, 2008. In that Examiner's Answer, while no new grounds of rejection are made, comments and explanations are provided which are tantamount to new points of argument. This Reply Brief, therefore, is submitted to address these new points of argument, and to clarify why claims 60-93 of the pending application should be considered to be patentable over Cook (U.S. Patent No. 6,697,806), Davis (U.S. Patent Application Publication No. 2003/0041146), and Nguyen (U.S. Patent Application Publication No. 2003/0005132), and, therefore, should be found by this Honorable Board of Patent Appeals and Interferences to be allowable.

This Reply Brief addresses a few of the deficiencies of the Examiner's Answer. Appellant's Appeal Brief, however, is maintained, and failure to repeat the arguments contained therein, or to address one or more argument set forth in the Examiner's Answer should not be construed as waiver or an admission. The Appeal Brief speaks for

itself, and this Reply Brief merely supplements the Appeal Brief to address certain aspects of the Examiner's Answer.

II. STATUS OF CLAIMS

Claims 1-59 have been canceled. Claims 60-93, all of the claims currently pending in the present application are the subject of this appeal. Claims 60-63, 66-77, 80-87, and 90-93 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,697,806 of Cook ("Cook"). Claims 64-65 and 78-79 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cook in view of U.S. Patent Application Publication No. 2003/0041146 of Davis et al. ("Davis"). Claims 88-89 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cook in view of U.S. Patent Application Publication No. 2003/0005132 of Nguyen et al. ("Nguyen").

III. APPELLANT'S ARGUMENTS

Appellants respectfully submit that each of pending claims 60-93 recites subject matter which is neither disclosed nor suggested by Cook, Davis, and Nguyen, whether viewed individually or in combination. As outlined above, the final Office Action took the position that Cook anticipates each and every element of the independent claims. Appellants respectfully disagree.

As discussed in Appellant's Appeal Brief, Cook fails to disclose or suggest "routing communication messages associated with said terminal via said analyzing entity to said specific one of said service processing entities within said specified communication network," as recited in claim 60 and similarly recited in claim 92. Similarly, Cook fails to

disclose or suggest “a routing unit, responsive to said decision unit, configured to route communication messages associated with said terminal via said analyzing entity to said specific one of said service processing entities within said specified communication network,” as recited in claim 74. Furthermore, Cook fails to disclose or suggest “a router, configured, in response to a decision of the decider, to route communication messages associated with said terminal to said specified service processing entity within said specified communication network,” as recited in claim 90. In addition, Cook fails to disclose or suggest “a sending entity configured to send messages regarding the specified service to the specific service processing entity within the specified communication network via the analyzing entity, when the request has been routed to the specific service processing entity by the analyzing entity,” as recited in claim 93 and similarly recited in claim 91.

According to embodiments of the invention, communication messages are routed via the analyzing entity to the specific one of the service processing entities within a specified communication network. More specifically, upon receipt of the request, the analyzing entity analyzes the request and decides that said requested specified service is associated to a specific one of the service processing entities of one of the communication networks. In response to the analyzing entity's decision, communication messages associated with said terminal are routed via the analyzing entity to the specified service processing entity within the specified communication network. In other words, the request is first forwarded to the selected service processing entity in the respective network, and upon receipt of the request at the selected service processing entity the requested service is established/executed so that thereafter communication

messages associated with the terminal are routed via the analyzing entity to the specified service processing entity within the specified communication network (Specification, page 14 and Figure 1).

In the Response to Argument section of the Examiner's Answer, it is asserted that "there is no requirement or suggestion that the 'request' is forwarded onward from the analyzing entity" (Examiner's Answer, page 11). Appellants respectfully disagree with this assertion. The claims recite that messages are routed or sent to the service processing entity "via the analyzing entity." A person of ordinary skill in the art would understand this limitation to mean that the messages are first sent to the analyzing entity and then on to the service processing entity. Cook, on the other hand, fails to disclose or suggest routing communication messages associated with the terminal via an analyzing entity to a specific one of the service processing entities within the specified communication network.

In fact, Cook does not disclose any elements which correspond to the service processing entities of the present invention. Cook merely discloses that, when a user requests access to services, the access network 520 processes the user access profile for the user. The access network 520 performs security measures to validate the user. The access network then binds the user to a terminal and to a service (Cook, Column 9, lines 30-35). Cook further discloses that the access network 520 includes an access server 524 which generates an available services reply, including a list of services, based on information in the user access profile. The access server 524 receives a selected service reply from the network device 512 and connects the network device 512 to the selected service provider (Cook, Column 14, lines 40-50).

Cook does not disclose or suggest that any of the requests or replies generated are routed to a service processing entity. The final Office Action appears to have taken the position that a service provider corresponds to the service processing entities of the claimed invention. Appellants respectfully disagree with this interpretation of the claims. As discussed in the present specification, service providers (or operators of the networks) may be used to distinguish different networks (see Specification, page 11). Therefore, a service provider may be used to describe a network, but different service providers do not correspond to the claimed service processing entities. In any case, Cook does not disclose that any messages are routed to a service processing entity.

Additionally, since Cook does not disclose a service processing entity, Appellants respectfully submit that Cook cannot disclose or suggest “the network being equipped with service processing entities,” as recited in the independent claims. The final Office Action appears to have taken the position that the plurality of service processing entities of the present invention corresponds to blocks 530 and 540 in Figure 4 of Cook. Cook discloses that “those service networks 530 and 540 could be voice or data systems such as the PSTN, Internet, public data networks, and private data networks” (Cook, Column 9, lines 26-29). Thus, blocks 530 and 540 in Figure 4 of Cook are networks, not service processing entities. Furthermore, Cook does not disclose or suggest that service networks 530 and 540 are equipped with service processing entities.

Therefore, Appellants submit that Cook fails to disclose or suggest all of the elements of claims 60, 74, and 90-93. Further, Davis and Nguyen do not cure the deficiencies in Cook. Accordingly, Cook, Davis and Nguyen, whether considered individually or combined, fail to disclose or suggest all of the elements of the present

claims.

Claims 61-73 and 75-89 are dependent upon claims 60 and 74, respectively. As discussed above, Cook, Davis and Nguyen do not disclose or suggest all of the elements of claims 60 and 74. As such, claims 61-73 and 75-89 are patentable for at least the same reasons that claims 60 and 74 are patentable, and further, because they recite additional limitations. Accordingly, it is respectfully requested that the rejections be reversed and these claims allowed.

As explained above and in the Appeal Brief, each of claims 60-93 recites subject matter which is neither disclosed nor suggested by the cited art of Cook, Davis and Nguyen. Therefore, Appellants submit that the final Office Action has failed to establish a prima facie case for anticipation or obviousness. This final rejection being in error, therefore, it is respectfully requested that this honorable Board of Patent Appeals and Interferences reverse the Examiner's decision in this case and indicate the allowability of application claims 60-93.

For all of the above noted reasons, it is strongly contended that certain clear differences exist between the present invention as claimed in claims 60-93 and the prior art relied upon by the Examiner.

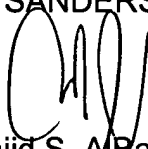
This final rejection being in error, therefore, it is respectfully requested that this honorable Board of Patent Appeals and Interferences reverse the Examiner's decision in this case and indicate the allowability of application claims 60-93.

In the event that this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together

with any additional fees which may be due with respect to this paper may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY LLP

A handwritten signature in black ink, appearing to read 'Majid S. Al-Bassam', is positioned over the printed name.

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